

ATTACHMENT A
Remarks

Claims 1-4, 7, 9, 10 and 12 are pending in the present application. By this Amendment, Applicant has amended claims 1 and 9. Applicant respectfully submits that the present application is in condition for allowance based on the discussion which follows.

In the outstanding Office Action, claims 9 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by WO 84/04367 (hereinafter "'367'"), and claims 1-4, 7 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Elsner (U.S. Patent No. 5,156,480) (hereinafter "Elsner") in view of the '367 publication. In the rejection, the Examiner alleges that the '367 publication discloses a sealing means arranged between a piston and an outer sleeve, wherein the sealing means is arranged closer to a pressurized side of the piston than to a relief side.

Contrary to the Examiner's assertion, although the '367 publication discloses the use of a sealing means, the '367 publication does not disclose an arrangement of the sealing means closer to the pressurized side of the piston than to the relief side, at least not wherein the sealing means is arranged between the piston and the outer sleeve. Although the Examiner notes that, in the '367 publication, the sealing means is at location "m" in Figure 3, which is arranged closer to the pressurized side of the piston than to the relief side, the sealing means at location "m" cannot be said to be located between the piston and the outer sleeve since, in fact, part of the outer sleeve, even at the mating surface at "m," is located closer to the piston than to the sealing means.

In order to further emphasize this difference, by this Amendment, claims 1 and 9 have been amended so as to even more clearly state that the sealing means is

arranged not only between the piston and the outer sleeve, but also that the sealing means is located at the contacting surface between the piston and the outer sleeve.

The location of the sealing means provides advantages which would not have been obvious to one of ordinary skill in the art. In particular, the use of a sealing means, as claimed, has the advantage that shunting of hydraulic fluid between the ends of the piston can be avoided, in particular, in situations where the outer sleeve is relatively thin. In such cases, the pressure from the outer sleeve acting on the outer side of the piston can be so low that shunting of hydraulic fluid from one pressure chamber to the other might occur which, in turn, has the result that mounting/dismantling cannot be carried out. The arrangement of the sealing means, as in the amended claims, has the effect that the friction between the piston and the outer sleeve is higher during mounting than during dismantling, since a shorter part of the contacting surface between the piston and the outer sleeve can be lubricated by the hydraulic medium along the outer sleeve. This, in turn, has the advantage that a dismantling pressure lower than the mounting pressure can be used, with the following advantage that there is thus no risk that the necessary dismantling pressure is higher than the pressure that is available, which otherwise might be the case when a dismantling pressure equal to or higher than the mounting pressure is needed.

Applicant respectfully submits that the location of the claimed sealing means would not have been obvious to one of ordinary skill in the art, as the benefit of the location would have been unknown to one of ordinary skill in the art. Accordingly, one of ordinary skill in the art would have had no reasonably apparent reason to modify the '367 patent to arrive at the claimed sealing means location.

Based on the foregoing, Applicant respectfully submits that the '367 publication fails to anticipate claims 9 and 10 and the '367 publication, further in view of Elsner, fails to make obvious the subject matter of claims 1-4, 7 and 12 under 35 U.S.C. § 103(a).

In view of the foregoing, Applicant respectfully submits that the present application is in condition for allowance.

END REMARKS